

PLANNING AND ZONING COMMISSION
STAFF REPORT

September 18, 2014



Rezoning case no. RZ14-17: Alberson LLC

CASE DESCRIPTION: a request to change the zoning classification from Agricultural-Open District (A-O) to Commercial District (C-3)

LOCATION: 9.51 acres of land adjoining the northeast side of State Highway 30 midway between Hardy Weedon and Elmo Weedon Roads and currently addressed as 10253 State Highway 30

LEGAL DESCRIPTION: 9.51 acres of land out of Maria Kegans League

EXISTING LAND USE: single-family residence

PROPERTY OWNER(S): Joe and Ruth Baggett

APPLICANT(S): Tyler Alberson with Alberson LLC

STAFF CONTACT: Maggie Dalton, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** this rezoning request.



AERIAL VIEW (2013):



BACKGROUND:

The applicant, Mr. Tyler Alberson with Alberson LLC, is requesting to change the zoning classification on these 9.51 acres of land from Agricultural – Open District (A-O) to Commercial District (C-3). The subject property has been zoned A-O District since its annexation to the City of Bryan on July 27, 1999. The parcel is mainly vacant land with a single-family residential structure. The rezoning is being requested in order to allow commercial development of the subject property in the near future.

The A-O zoning district is intended to provide a location principally undeveloped or vacant land situated on the fringe of an urban area and used primarily for agricultural purposes, but may become an urban area in the future. State Highway 30 has been developing with many commercial businesses in both the City of Bryan and the City of College Station's extraterritorial jurisdiction, which adjoins the south side of Highway 30.

The Planning and Zoning Commission considered a similar request for C-3 zoning (case no. RZ13-10) during its regular meeting on August 1, 2013. The Commission unanimously recommended approval of that request to the City Council. During the regular City Council meeting on August 27, 2013, a motion to approve the rezoning failed due to a lack of a second, essentially denying that request.

The C-3 zoning classification is intended for heavy retail and commercial uses of a service nature which typically have operating characteristics or traffic service requirements of retail or shopping, but generally

not with residential environments. There are existing C-3-zoned properties directly adjacent to the subject property occupied by Aggieland Golf driving range and a multi-tenant commercial structure.

The subject property lies within the FM158 Corridor Overlay District, which imposes higher development standards such as 75% non-metallic structures, the screening of utility equipment and open storage is prohibited. The purpose of the district is to exercise greater control over the aesthetic and functional characteristics of development along major thoroughfares, which serve as major entrances to the community where higher development standards can effectively enhance the city's image as a desirable place to live, work, and shop. The applicant was made aware of the overlay district requirements with regards to development before the application was made for the rezoning.

RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The City of Bryan adopted a new Comprehensive Plan in January 2007. The plan includes policy recommendations related to the various physical development aspects of the community. These aspects are supported by a set of goals and objectives. Among the goals supported by the policies are the development of attractive entrances and corridors and encouraging and promoting compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically. One of the plan's objectives is to encourage a sustainable mix of land uses types in suitable locations, densities and patterns and to identify areas for commercial development and preserve them with appropriate zoning.

ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

The proposed change will allow commercial development at a mid-block location along a super arterial street, State Highway 30. Expanding C-3 zoning onto the subject property will support orderly urban growth in this vicinity where neighboring properties are being developed or are currently developed as commercial establishments. Staff believes that C-3 zoning on the subject property is compatible with surrounding and existing development. The remaining surrounding properties are either vacant land or are developed as commercial businesses. Staff believes that proposed C3 zoning on these 9.51 acres is appropriate in this particular environment.

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

The subject property adjoins State Highway 30, which is classified as a super arterial street on Bryan's Thoroughfare Plan. This highway can be expected to be capable of accommodating traffic loads typically associated with commercial development on the subject property. Sewer service to this property will be provided by the City of College Station (as per the Interlocal Agreement where Bryan provides service to the BioCorridor). The City of Bryan is currently working toward easement acquisition for the proposed sewer line and once all are obtained, College Station will begin the design and construction of the line. Water services would be provided by the Wickson Creek Special Utility District.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Staff contends that commercial developments are developing at an average pace in this vicinity and elsewhere in the City.

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

If the proposed zone change was approved, staff believes there to be few, if any, effects on other areas designated for similar developments. Many of the properties in the immediate vicinity are developed as commercial businesses, and several vacant parcels are available for future commercial development.

6. Any other factors affecting health, safety, morals, or general welfare.

In this case, staff believes that the requested rezoning to C-3 District should have no adverse effects on adjacent properties. Staff contends that allowing a commercial development at this location will sustain an orderly zoning pattern and allow for a useful diversification in land use intensities and orderly urban development in this vicinity.

RECOMMENDATION:

Staff recommends **approving** the proposed C-3 zoning, as requested, on these 9.51 acres of land.